

SENATE BILL No. 542

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-11-10-2; IC 36-2-6-3.

Synopsis: Publication of county claims. Requires the county auditor to: (1) publish in two newspapers an itemized statement of claims filed for consideration by the county executive; or (2) post on the Internet an itemized statement of claims filed for consideration by the county executive; or (3) both.

Effective: July 1, 2001.

Landske

January 23, 2001, read first time and referred to Committee on Governmental and Regulatory Affairs.

C
o
p
y



First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 542

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-11-10-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Claims against
3 a political subdivision of the state must be approved by the officer or
4 person receiving the goods or services, be audited for correctness and
5 approved by the disbursing officer of the political subdivision, and,
6 where applicable, be allowed by the governing body having jurisdiction
7 over allowance of such claims before they are paid. If the claim is
8 against a governmental entity (as defined in section 1.6 of this chapter),
9 the claim must be certified by the fiscal officer.
- 10 (b) The state board of accounts shall prescribe a form which will
11 permit claims from two (2) or more claimants to be listed on a single
12 document and, when such list is signed by members of the governing
13 body showing the claims and amounts allowed each claimant and the
14 total claimed and allowed as listed on such document, it shall not be
15 necessary for the members to sign each claim.
- 16 (c) Notwithstanding subsection (b), only:
17 (1) the chairperson of the board of directors of a solid waste



C
o
p
y

management district established under IC 13-21 or IC 13-9.5
(before its repeal); or
(2) the chairperson's designee;
is required to sign the claim form described under this section.

(d) The form prescribed under this section shall be prepared by or
filed with the disbursing officer of the political subdivision, together
with:

- (1) the supporting claims if payment is made under section 1 of
this chapter; or
- (2) the supporting invoices or bills if payment is made under
section 1.6 of this chapter.

All such documents shall be carefully preserved by the disbursing
officer as a part of the official records of the office.

(e) Where under any law it is provided that each claim be allowed
over the signatures of members of a governing body, or a claim docket
or accounts payable voucher register be prepared listing claims to be
considered for allowance, the form and procedure prescribed in this
section shall be in lieu of the provisions of the other law.

(f) Notwithstanding this section, the publication **or posting** required
by IC 36-2-6-3(b) **and IC 36-2-6-3(c)** must state each claim for which
a separate warrant or check is to be issued by the disbursing officer.
~~except for claims for the following:~~

- ~~(1) Salaries fixed in a definite amount by ordinance or statute.~~
- ~~(2) Per diem of jurors.~~
- ~~(3) Salaries of officers of a court.~~

SECTION 2. IC 36-2-6-3 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2001]: Sec. 3. (a) This section does not apply
to claims for salaries fixed in a definite amount by ordinance or statute,
per diem of jurors, and salaries of officers of a court.

(b) The county auditor shall publish all claims that have been filed
for the consideration of the county executive and shall publish all
allowances made by courts of the county. Claims filed for the
consideration of the executive shall be published at least three (3) days
before each session of the executive, and court allowances shall be
published at least three (3) days before the issuance of warrants in
payment of those allowances. In publication of itemized statements
filed by assistant highway supervisors for consideration of the
executive, the auditor shall publish the name of each party and the total
amount due each party named in the itemized statements. Notice of
claims filed for consideration of the county executive must state their
amounts and to whom they are made. **Except as provided in**
subsections (c) and (d), claims and allowances subject to this section



C
o
p
y

shall be published as prescribed by IC 5-3-1, except that only one (1) publication in two (2) newspapers is required.

(c) **This subsection applies to claims filed for the consideration of the executive. The county auditor shall do one (1) of the following:**

(1) **Publish an itemized statement of claims as prescribed by IC 5-3-1, except that only one (1) publication in two (2) newspapers is required.**

(2) **Post on the Internet an itemized statement of claims in accordance with IC 5-3-1-2.**

(3) **Publish and post an itemized statement under subdivisions (1) and (2).**

(d) **If a county auditor posts on the Internet an itemized statement of claims under subsection (c)(2), the auditor must publish in a newspaper in accordance with IC 5-3-1 a statement that contains the following information:**

(1) **The total amount of the claims.**

(2) **A reference to the location on the Internet where the itemized statement of claims can be found.**

(3) **A statement that an interested person may obtain a copy of information:**

(A) **relating to the claims; and**

(B) **posted on the Internet;**

by calling the telephone number contained in the statement.

(4) **The telephone number of the county auditor's office that an interested person may call to obtain information relating to the claims.**

A statement required to be published under this subsection must be printed conspicuously and so that the statement can be readily distinguished from other legal notices and advertisements printed on the page containing the statement. Publication of the statement is required only one (1) time in two (2) newspapers.

(e) **If an interested person requests copies of information relating to the claims under subsection (d), the county auditor shall mail the information to the person not later than three (3) business days after the request is made.**

(f) **A member of the county executive who considers or allows a claim, or a county auditor who issues warrants in payment of allowances made by the county executive or a court of the county, before compliance with subsection (b) or subsections (c) through (e), commits a Class C infraction.**

~~(d)~~ (g) **A county auditor shall publish one (1) time in accordance**

C
o
p
y



1 with IC 5-3-1 a notice of all allowances made by a circuit or superior
2 court. The notice must be published within sixty (60) days after the
3 allowances are made and must state their amount, to whom they are
4 made, and for what purpose they are made.

C
o
p
y

